

## **JUDGMENT**

For the reasons set out in an order filed today, it is ordered and adjudged that plaintiff's action is dismissed in part without prejudice and in part with prejudice.

Taxable costs of court, as calculated by the clerk of court, are assessed against plaintiff.

Done at Dallas, Texas this 15th day of December, 2004.

SIDNEY A. FITZWATER

UNITED STATES DISTRICT JUDGE